

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

TITLEMAX OF SOUTH CAROLINA,))
INC.,))
))
Plaintiff,))
))
vs.))
))
JESSICA RENEE CROWLEY,))
))
Defendant.))
_____)

Case No.: 4:20-cv-2938-JD

OPINION & ORDER

This matter is before the Court with the Report and Recommendation of United States Magistrate Thomas E. Rogers, III (“Report and Recommendation”), made in accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02 of the District of South Carolina.¹ TitleMax of South Carolina, Inc. (“TitleMax” or “Plaintiff”), brought this action against *pro se* Defendant Jessica Renee Crowley (“Crowley” or “Defendant”) for misappropriation of trade secrets pursuant to 18 U.S.C. § 1836 as well as various state law claims. (DE 1.)

Plaintiff filed a Motion for Summary Judgment (DE 44) on July 21, 2021, and Defendant filed a response on August 20, 2021. (DE 48). Thereafter, Defendant filed a Motion to Dismiss (DE 51), and Plaintiff subsequently filed a Motion to Dismiss pursuant to Rule 41(a)(2), Fed. R. Civ. P. (DE 59) seeking to voluntarily dismiss the claims it filed against Defendant without prejudice. Although Defendant filed a Response (DE 62) purportedly opposing Plaintiff’s Rule 41(a)(2) motion, she does not advance any arguments opposing dismissal of the claims against her.

¹ The recommendation has no presumptive weight, and the responsibility for making a final determination remains with the United States District Court. See Mathews v. Weber, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the magistrate judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).


Rather, she appears to explain why she has not responded to Plaintiff's discovery requests and argues that judgment against her is not appropriate. Further, Defendant does not identify any prejudice she would suffer if the claims against her are dismissed. On November 30, 2021, the Magistrate issued a Report recommending Plaintiff's Rule 41(a)(2) Fed. R. Civ. P., Motion to Dismiss be granted. (DE 65.)

No objections were filed to the Report and Recommendation. In the absence of objections to the Report and Recommendation, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983). The Court must "only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Diamond v. Colonial Life & Acc. Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005).

Upon review of the Report and Recommendation and the record in this case, the Court adopts the Report and Recommendation and incorporates it herein by reference.

It is, therefore, **ORDERED** that the Plaintiff's Rule 41(a)(2) Fed. R. Civ. P., Motion to Dismiss (DE 59) is granted, and this case is dismissed without prejudice. The Court declines to address Plaintiff and Defendant's remaining motions (DE 44) and (DE 51) because they are moot.

IT IS SO ORDERED.


Joseph Dawson, III
United States District Judge

Greenville, South Carolina
December 21, 2021

NOTICE OF RIGHT TO APPEAL

Plaintiff is hereby notified that he has the right to appeal this order within thirty (30) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.